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ADMINISTRATION

July 29, 1996

QA 20660

Federal Highway Administration
FHWA Docket No. MC-96-18
Office of the Chief Counsel
HCC-10, Room 4232
400 Seventh Street, S. W.
Washington, D. C. 20590

FHWA-97-2299-47

Re: Comments of Decker Truck Line, Inc.

Decker Truck Line, Inc. ("Decker"), of Fort Dodge, Iowa, hereby submits through its counsel, the following comments to the rulemaking proceeding in the above docket.

Decker supports the proposed rulemaking proceeding to the extent that it would eliminate the "satisfactory" and "conditional" safety rating categories. While these categories would, in the abstract, appear to be a reasonable measurement of a carrier's performance in the area of safety, the truth of the matter is that far too often there is no correlation between a safety rating and a carrier's actual safety performance. One reason is the apparent inconsistency of examinations conducted among the various regions, and also within individual regions, depending upon the individual conducting an examination of a carrier's operations. Secondly, the criteria used in giving a safety rating do not, in many instances, in any way relate to a carrier's actual safety performance. Therefore, the imposition of a safety rating can be misleading to the public, suggesting that a carrier with a "satisfactory" rating has an acceptable safety performance record, when, in fact, this may not be the case. Similarly, a carrier may be given a "conditional" rating, when, in fact, its actual safety performance is outstanding.

Decker respectfully submits that the Federal Highway Administration should carry its proposed rulemaking even further, and fully address all issues relating to hours of service. The current hours of service regulations have been in effect for many years, and it is important that they be fully reviewed. Like any other rules and regulations, the hours of service regulations must be tested from time to time to be certain that they fulfill the objectives for which they were intended, are consistent with current conditions, and do not

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unreasonably impair operations within the industry which is being regulated. While hours of service are not the subject matter of the current rulemaking proceeding, it is respectfully submitted that these regulations, in their current form, are neither in the public interest or the best interest of motor carriers, their drivers and the shipping and receiving public. Therefore, it is urged that a full review of such regulations, with input from the motor carrier industry, be conducted and that appropriate modifications to the regulations be proposed.

Very truly yours,



William L. Fairbank

WLF/dc

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